

IN THE CROWN COURT
AT CAERNARFON

INDICTMENT
TRIAL NO.

**STATEMENT OF INFORMATION RELEVANT IN
ACCORDANCE WITH SECTION 16 (6)**
OF THE PROCEEDS OF CRIME ACT 2002

REGINA

V

HUGHIE NOEL THOMAS

STATEMENT DETAILS

Prepared and tendered by : **Michael Francis MATTHEWS**

Address : **Post Office Ltd Investigation
Team
PO Box 1
Croydon
CR9 1N**

Signature :

Date : **22 February 2007**

Prosecutor : **Juliet McFARLANE**

Address :
Principle Lawyer
Criminal Law Team
Royal Mail Group plc
6A Ecclestone Street
London
SW1W 9LT

1 Statement of Information

- 1.1 I, Michael Francis Matthews a financial investigator currently employed by Post Office Ltd, am accredited under Part 2 and Part 8 of the Proceeds of Crime Act 2002. This statement of information is further to the statement of information prepared by me and tendered by Juliet McFarlane, Solicitor in this matter, in accordance with Section 16(3) of the Proceeds of Crime Act 2002. I say as follows:-
- 1.2 I am duly authorised to make this statement of information on behalf of the prosecutor, who is The Solicitor to Royal Mail Group Plc, Criminal Law Team and who has conduct of the proceedings in this matter. I make this statement of information in accordance with Section 16 (6) of the Proceeds of Crime Act 2002.
- 1.3 Hughie Noel Thomas is the defendant in this matter

2 Extent of Benefit

Particular Criminal Conduct

- 2.1 Paragraph 7.4 of the previous statement detailed that £28,519.76 had been paid to the defendant in remuneration during the material time. It should be noted that the defendant would have been liable to pay Income Tax on this sum. National Insurance contributions however, would have been made at source prior to payment to the defendant.

3 Available Amount

- 3.1 In respect of the value of The Post Office, GRO GRO I had a conversation with Mr Roger Harris of Humberstones Business Agents, as he was instructed to sell the business and property for Mr Thomas. The

conversation was to the effect that he could not remember exactly the valuation but thought that he valued it at £180,000. The price was based on the business and the physical property but he did not value each part separately but as a complete going concern. He was pressed on the value and he said that £60,000 was reasonable price for the business and £120,000 for the building. He based his valuation on paying no more or less than twice remuneration at £28,000 plus a bit extra for the retail business.

- 3.2 Mr Harris did not think he could put his views in writing, as he did not believe his professional indemnity would allow him. He concluded by adding that the sale of the Gaerwen Post Office had progress quite a way, with a buyer and as such the exact figures of the value of the business and property should be in the sale contract drafted by Mr Thomas' solicitor.
- 3.3 Nevertheless I am in receipt of information in respect of the value of Gaerwen Post Office. The property was valued around September 2005 by a surveyor who is a Bachelor of Science and a Member of the Royal Institute of Chartered Surveyors. His valuation was as follows:
 - Bearing in mind what we consider to be all the relevant factors we are of the opinion that the current Freehold Market Value of the property as a fully operational trading entity and including trade fixtures and fittings, is reasonably expressed in the sum of **£185,000 (One Hundred and Eighty Five Thousand Pounds)**.
 - The valuation figure reported above is based on the property's trading potential. In the event that the property was closed or not open to trade or if the accounts or record of trade were not available, the inventory has been removed, if any licences, consents certificates or permits were lost or in jeopardy or if the property were vandalised, then the values herein may be reduced to take account of the circumstances pertaining at such time. Should this be the case we would estimate the value to be in the sum of **£145,000 (One Hundred and Forty Five Thousand Pounds)**.
 - The anticipated market rental value of the property subject to standard commercial terms is estimated to be in the order of **£10,150 (Ten thousand One Hundred and Fifty Pounds)**.

- The market value of the premises as fully operational trading entity subject to a 90 day completion period is reasonably expressed in the sum of **£157,000 (One Hundred and Fifty Seven Thousand Pounds)**

3.4 The Nationwide House Price calculator states that a property located in Wales, which was valued at £145,000 in Q4 of 2005, would be worth approximately £157,866 in Q4 of 2006. This is equivalent to a change of 8.87%

3.5 The prosecution is of the view that the property Gaerwen Post Office was undersold in September 2006 by approximately £57,000 and that Mr Thomas would have known that he was underselling the property as the exact values would have been in the contracts of sale drawn up by his solicitors around June to September 2005.

3.6 If Defendant does not accept this valuation then onus is on him to provide the Court with a full valuation (carried out by a professional valuer) for the property.

3.7 Paragraph 9.5 of previous statement detailed an occupational pension with Royal Mail Group held by the defendant in the sum of £476.89 gross per month. The Trustees have made none of the pension fund available for confiscation.